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FM AMEMBASSY ISLAMABAD
TO RUEHC/SECSTATE WASHDC PRIORITY 1394
INFO RUEHKA/AMEMBASSY DHAKA PRIORITY 2211
RUEHBUL/AMEMBASSY KABUL PRIORITY 7467
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 1653
RUEHKP/AMCONSUL KARACHI PRIORITY 7199
RUEHLH/AMCONSUL LAHORE PRIORITY 3280
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SUBJECT: PAKISTANI CHRISTIANS APPEAL TO THE SUPREME COURT

Classified By: Anne W. Patterson, reasons 1.4 (b), (d)

11. (C) Summary: On August 25, the Pakistan Christian National Party (PCNP) filed a petition with the Supreme Court seeking to declare as unconstitutional the requirement that the President of Pakistan be a Muslim. Christian groups and other minorities remain divided on many issues; however, all have vowed to fight against discriminatory laws and Constitutional clauses. Like an increasing number of Pakistanis, many of these minorities see the reinvigorated Supreme Court as an avenue for actual justice. End Summary.

12. (U) PCNP Chairman Joseph Francis filed a petition in the Supreme Court challenging Article 41(2) of the Pakistani Constitution that bars non-Muslims from running for the presidency of Pakistan. Francis claims that the 1973 constitution suppressed minority rights and thus violated both the teachings of Islam and the Resolution of Pakistan (the founding document of the country). The PCNP has vowed to use the emboldened Supreme Court to challenge all discriminatory clauses in the Constitution and the Pakistani Penal Code. Joseph Francis has also announced that he would try to run for President of Pakistan. (Note: Christians form less than two percent of Pakistan's 160 million people. End Note.)

13. (U) On August 11, various minorities groups held the first "Minority Day" in anticipation of Pakistan's 60th anniversary. The groups called for an end to discrimination against religious and other minorities. Minority leaders hope that the encouraging judicial atmosphere will help redress many of their grievances, which include use of the blasphemy laws to pursue personal and/or financial grievances against religious minorities.

14. (C) Comment: Several clauses in the Pakistani constitution and in its Penal Code are discriminatory towards Christians and other religious minorities, however, challenges in the past have been futile. Political infighting plagues the various minority groups and many Christian groups do not support Joseph Francis, however, his petition will be a test case to see how far the court is willing to push in terms of guaranteeing civil and human rights.

PATTERSON